

Application Serial Number: 09/871,605

REMARKS

Claims 1, 3-7, and 9-12 remain pending. Of those claims, claims 1 and 7 are currently amendment. No claims are canceled or added via the present submission.

Claims 1-4, 6-10, and 12 stand rejected under 35 U.S.C. § 102(e) as anticipated by Eisenhart, U.S. Patent Application Publication No. 2001-0047276. Applicant respectfully submits that the rejection should be withdrawn.

The rejection relies on the Eisenhart disclosure in paragraph [0014] of a member completing a need profile (to find another member) to teach "selecting" members as claimed. (See Office Action, page 4.) However, indicating a need is not the same as selecting members to fulfill that need. The rejection also relies on the disclosure in paragraph [0014] of a member requesting direct contact with a business partner (another member) to teach "requesting the selected members to [offer information]" as claimed. However, the "selected members" have not been properly identified in the prior art, so the cited text cannot teach requesting information from those members as claimed.

The present amendments further emphasize a distinction between applicant's invention and Eisenhart. Specifically, claim 1 now describes an open research and development method including the steps of:

using an operator selecting to select members for which provision of information is to be requested, by utilization of information about the members registered in the membership database; then

using the same operator requesting to request the selected members to offer engineering information by way of the communications network.

Claims 2-4 and 6 depend from claim 1, so they also describe this subject matter. Claim 7 now describes an open research and development system including:

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means for an operator selecting to select members for which provision of information is to be requested, by utilization of information about the members registered in the membership database;

means for the same operator to then requesting request the selected members to offer engineering information by way of the communications network.

Claims 9, 10, and 12 depend from claim 7, so they also describe this subject matter. Eisenhart does not teach these features of the invention.

That is, Eisenhart's paragraph [0014] does not teach using the same operator *both* to select members for which provision of information is to be requested *and* to request the selected members to offer engineering information as described in the proposed claims. Further, applicant finds no teaching in any other part of Eisenhart that can anticipate these claims.

Accordingly, applicant solicits the withdrawal of the anticipation rejection of claims 1-4, 6-10, and 12.

Claims 5 and 11 stand rejected under 35 U.S.C. § 103(a) as obvious over Eisenhart. Applicant respectfully submits that the rejection should be withdrawn.

The obviousness rejection of claims 5 and 11 relies on Eisenhart anticipating parent claims 1 and 7, respectively. However, as explained above, the anticipation rejection should be withdrawn.

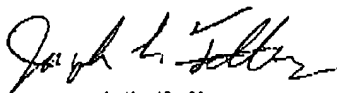
Accordingly, applicant now solicits the withdrawal of the obviousness rejection of claims 5 and 11.

In view of the remarks above, applicant now submits that the application is in condition for allowance, and a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is welcome to contact applicant's undersigned attorney at the telephone number indicated below to discuss resolution of the remaining issues.

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If this paper is not timely filed, applicant petitions for an extension of time. The fee for the extension, and any other fees that may be due, may be debited from Deposit Account No. 50-2866.

Respectfully submitted,
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